

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X

H. Katz Plaintiff,
-against-

Joe R. MOGUS
All That Glitter Inc
Defendant(s)

[docket number] [judge's initials]

X

PLEASE TAKE NOTICE that upon the annexed affidavit or
affirmation Joe R. Mogus sworn to or affirmed

September 27, 2006 and upon the complaint herein,
Joe R. Mogus Honorable Denis L. W. Trzask
~~plaintiff~~ will move this Court, (Judge's name) U.S.D.J.,

in room _____ United States Courthouse, Brooklyn, New York, 11201,
on the 27th day of Sept, 2006, at (time) or as
soon thereafter as counsel can be heard, for an order pursuant to
Rule _____ of the Federal Rules of Civil Procedure granting

by Motion for a dismissal of the case

06 CV 05474 Katz Vs Joe R. Mogus

Dated: Benton OREGON
county New York

All That Glitter Inc

date Sept 27/2006

Joe R. Mogus
Joe R. Mogus
PLAINTIFF PRO SE

Mail
General & Delivery
Corvallis Oregon
97333

Phone

541-929 5462

Motion Attached

06-CV-574
FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.
SEP 29 2006
BROOKLYN OFFICE
NOTICE OF MOTION

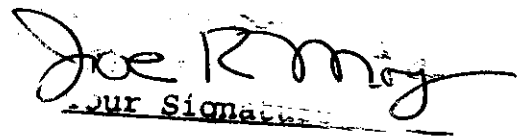
06 CV 05474 (ABC)

WHEREFORE, I respectfully request that the court grant the within motion, as well as such other and further relief that may be just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

Sept 27 / 2006


Your Signature

Print your name

Joe R. Magus

Sept 27/2006

Again I urge this honorable court to dismiss this case 06CV05474 - Katz vs Magus/All That Glitters
Just yesterday Sept 26/2006 at long last I received from Plaintiff's attorney Klein his response to motions filed.

As I recollect this court had established a return date of May 27/2006 - this date never being changed or amended. Attorney Klein's response, 4 months late - he apparently chose to ignore, disregard the court established date.

I do not think this is by accident but rather by design - to respond late, less than 10 days before our conference of Oct 6/2006 this a rather tawdry attempt on his part to preclude a response or rebuttal to the points he has made - his design appearing obvious to me and I think to this court.

Why I must ask if I, as a ProSe defendant can I respond in days must be a professional, officer of the court disregard court instruction and take many months to simply respond. Again I urge this honorable court to dismiss this case.

Thank You

Sincerely

Joe R Magus
Joe R Magus

* PS. on Back!

In earlier correspondence this week I have asked
the court to please grant extension of Oct 6 to
30 days more -

I will make a succinct and point by point
rebuttal of the Klein correspondence of Sept 26

Thank You

W. J. ...
Sept 26

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

H Katz

Plaintiff,

-against-

Joe R Moser / All That
Defendants. Glitter Inc

Affirmation of Service

06 cv 05474 ,

I, Joe R Moser

, declare under penalty
of perjury that I have served a copy of the attached Notice of
Motion and Affirmation/Affidavit in support upon Plaintiff attorney
Schmel Klein

whose address is 268 Route 59
Spring Valley New York 10977

Dated: Sept 27/2006
New York

Corvallis Oregon

Joe R Moser
Signature

General Delivery
Address

Corvallis Oregon 97333
City, State & Zip Code

541-929 5462
Telephone